IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9864 of 2004

Between:
A.Chandra Goud S/o. Narsa Goud R/o. Boargaon (P) (V) Nizamabad Mandal and district.

..... PETITIONER

AND

The Prohibition and Excise Superintendent, Nizamabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the letter Rc.No.D3/182/2004 Dt.27.3.2004 issued by respondent as illegal, arbitrary and violative of principles of natural justice and pass such other or further orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: GP FOR PROHIBITION & EXCISE

The Court made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the proceedings of the respondent dated 27.03.2004 under which the petitioner was informed that Sri A.Chandra Goud S/o Narsa Goud R/o Boargoan (P) was not a TFT licensee, therefore, no duplicate could be issued to the petitioner.

2. When this matter came up for hearing, notice was ordered to the Government Pleader for Prohibition & Excise to get instructions. On instructions, it is informed that TFT licence was issued in the name of Sri A.Chandra Goud S/o Nara Goud but not in the name of Sri A.Chandra Goud S/o Narsa Goud. But, at the time of hearing, the learned counsel for the petitioner submitted that an earlier licence issued on 30.09.1988 which was valid upto September, 1993 and it was in the name of Sri A.Chandra Goud S/o Narsa Goud R/o Boargaon (P) (V), Nizamabad Mandal & District, therefore, it is for the appropriate authorities to verify the past records and to find out whether there are two persons namely A.Chandra Goud S/o Nara Goud and A.Chandra Goud S/o Narsa Goud. Though the learned Government

Pleader got instructions, is not able to place any material before this Court stating that TFT licence was issued to two such persons. If licence was not granted to two such persons, then it should be verified whether the father's name of the licensee was wrongly entered as Nara Goud as it is only the omission of one letter 's' in the name.

3. Under the above circumstances, it would be appropriate to direct the respondent-Prohibition & Excise Superintendent, Nizamabad, to verify the past records and ascertain as to the correct facts.

4. Accordingly, the writ petition is disposed of, directing the respondent-Prohibition & Excise Superintendent, Nizamabad, to verify the past records and ascertain as to the correct facts and pass appropriate orders, if necessary, after issuing a notice to the petitioner. The said exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

22nd June, 2004

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

To

1. The Prohibition and Excise Superintendent, Nizamabad.
2. The Government Pleader for Prohibition and Excise Superintendent, High Court Buildings, Hyderabad. (OUT)
3. Two CDs.

Note: Furnish CC in three days

(B/O)

VGB